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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

IN RE BARD IVC FILTERS)	No. MD-15-02641-DGC
PRODUCTS LIABILITY LITIGATION)	
)	<u>AMENDED</u> SECOND AMENDED
)	MASTER SHORT FORM
)	COMPLAINT FOR DAMAGES FOR
)	INDIVIDUAL CLAIMS AND
)	DEMAND FOR JURY TRIAL

Plaintiff(s) named below, for their Complaint against Defendants named below,
incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364).

Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party:

Kristen Stokely

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of
consortium claim:

N/A

1 3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,
2 conservator):

3 N/A

4 4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at
5 the time of implant:

6 Michigan

7
8 5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at
9 the time of injury:

10 Michigan

11 6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

12 Michigan

13 7. District Court and Division in which venue would be proper absent direct filing:

14 U.S. District Court for the Eastern District of Michigan

15 8. Defendants (check Defendants against whom Complaint is made):

16 ☒ C.R. Bard Inc.

17 ☒ Bard Peripheral Vascular, Inc.

18 9. Basis of Jurisdiction:

19 ☒ Diversity of Citizenship

20 ☐

21 Other: _____

22 a. Other allegations of jurisdiction and venue not expressed in Master
23 Complaint:

24 _____
25 _____
26 _____

27 10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a
28 claim (Check applicable Inferior Vena Cava Filter(s)):

☐ Recovery[®] Vena Cava Filter

☒ G2[®] Vena Cava Filter

☐ G2[®] Express Vena Cava Filter

☐ G2[®] X Vena Cava Filter

☐ Eclipse[®] Vena Cava Filter

☐ Meridian[®] Vena Cava Filter

☐ Denali[®] Vena Cava Filter

☐ Other: _____

11. Date of Implementation as to each product:

8/1/2004

12. Counts in the Master Complaint brought by Plaintiff(s):

☒ Count I: Strict Products Liability – Manufacturing Defect

☒ Count II: Strict Products Liability – Information Defect (Failure to Warn)

☒ Count III: Strict Products Liability – Design Defect

☒ Count IV: Negligence – Design

☒ Count V: Negligence – Manufacture

☒ Count VI: Negligence – Failure to Recall/Retrofit

☒ Count VII: Negligence – Failure to Warn

☒ Count VIII: Negligent Misrepresentation

☒ Count IX: Negligence *Per Se*

☒ Count X: Breach of Express Warranty

☒ Count XI: Breach of Implied Warranty

- ☒ Count XII: Fraudulent Misrepresentation
- ☒ Count XIII: Fraudulent Concealment
- ☒ Count XIV: Violations of Applicable Michigan Law Prohibiting
Consumer Fraud and Unfair and Deceptive Trade Practices

☐ ☒ Count XV: Loss of Consortium

☐ ☒ Count XVI: Wrongful Death

☐ ☒ Count XVII: Survival

☒ Punitive Damages

☐ Other(s): _____ (please state the facts supporting
this Count in the space immediately below)

13. Jury Trial demanded for all issues so triable?

☒ Yes

☐ No

RESPECTFULLY SUBMITTED this ~~2nd~~ 12th day of October, 2017.

BARON & BUDD, P.C.

By: /s/ Matthew Haynie
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Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this ~~2nd~~ 12th day of October, 2017, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ Matthew Haynie
Matthew Haynie